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Application Number

10/593,499

Filing Date

March 23, 2005

First Named Inventor

YALURIS, George

Art Unit

1764

Examiner Name

N/A

Attorney Docket Number

W9644-02

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form (2x *) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declarations) <input type="checkbox"/> Extension of Time Request (2x *) <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CID, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CID	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard PTO Form 1449
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* 2x = Duplicate Copies

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	W R Grace & Co.-Conn		
Signature			
Printed name	Charles A. Cross		
Date	September 20, 2007	Reg. No.	32406

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Sherry R. Phillips	Date	September 20, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

- c. ☐ Copy of the PCT Search Report dated _____ on PCT Application No. _____ which is:
- ☐ The PCT counterpart of the above-identified U.S. application or one of its Parental ancestors, i.e. USSN _____, filed _____
- ☐ The PCT counterpart of related USSN _____, filed _____
- d. ☐ Copy of the _____ Search Report dated _____ on the corresponding _____ counterpart of the above-identified U.S. application.
(country)
- e. ☐ Explanatory comments attached hereto as Appendix 1.
- f. ☐ COPIES (check at least one box)
- ☐ A legible copy of (i) each ☐ US* ☐ foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed. (*Copies Of US Patents do **not** have to be provided for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003).
- ☐ Some or all of the documents listed on the PTO 1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.
- g. ☐ Concise Explanation Of Relevance (check at least one box)
- ☐ Documents Not In The English Language
- ☐ A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:
- ☐ A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as attached.
- ☐ Documents In The English Language
All of the patents, publications or other information are in the English language. No statement of relevancy is required.
- ☐ English Language Search Report
An English language version of the search report or action which indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(A)(3).
- ☐ Other
The following additional information is provided for the Examiner's consideration.

- II. ☒ The Examiner is requested to consider the references cited in the attached Information Disclosure Statement without a fee or certification because it was filed:
- ☐ within three months of the filing date of this national application, other than a continued prosecution application under 1.53(d);
- ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
- ☒ before the mailing date of a first Office Action on the merits; or

III. ☐ The Examiner is requested to consider the attached Information Disclosure Statement pursuant to 37 CFR §1.97(c) in that it is being filed after the periods specified in Paragraph II above, but before the first to occur of the mailing date of either:

- ☐ Final Action under 37 CFR § 1.113; or
- ☐ Notice of Allowance under 37 CFR § 1.311; or
- ☐ An action that otherwise closes prosecution in the application;

and in support of such request the undersigned either:

- ☐ has made the certification hereinbelow at Paragraph IVB pursuant to 37 CFR § 1.97(e); or
- ☐ is paying a petition fee under 37 CFR § 1.17(p) in the amount of _____ (Fee Code 1806)

IVA. ☐ The Examiner is requested to consider the attached Information Disclosure Statement pursuant to 37 CFR §1.97(d) in that it is being filed before the payment of the Base Issue Fee and after the mailing date of any:

- (1) Final Action under 37 CFR § 1.113;
- (2) Notice of Allowance under 37 CFR § 1.311; or
- (3) An action that otherwise closes prosecution in the application.

and in support of said request the undersigned:

- (i) has made the certification hereinbelow at Paragraph IVB pursuant to 37 CFR § 1.97(e); and
- (ii) is paying a petition fee under 37 CFR § 1.17(P) in the amount of \$180.00.

IVB. Certification Under 37 CFR § 1.97(e)
[applicable to only III or IV above]

☐ The undersigned hereby certifies that for each item of information contained in the Information Disclosure Statement it was either:

- (1) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement, or
- (2) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned upon making reasonable inquiry, was not known to any individual designated in §1.56(c) more than three months prior to the filing of the statement.

- V. ☒ The Examiner is requested to make the art of record in the following parental U.S. applications relied upon for an earlier filing date under 35 USC § 120, of record in the present above-identified application.

U. S. Serial No.	Filing Date
10/806,563	March 23, 2004

VI. Fee Payment

- ☐ Petition fee under 37 CFR §1.17(p) to consider Information Disclosure Statement under 37 CFR § 1.97(c) and (d) is _____ (Fee Code 1806)
- ☐ Charge _____ to Deposit Account No. _____
- ☐ The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.16 and §1.17 which may be required by this paper, or credit any overpayment, to Deposit Account No. _____
A duplicate copy of this Form is enclosed.
- ☐ A check in the amount of the fee is enclosed.
- ☒ No fee due.

CORRESPONDENCE ADDRESS					
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Insert Customer No or Attach Bar Code Label here					
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Name (Print / Type)	Charles A. Cross	Registration No. (Attorney/Agent)	32406		
Signature	<i>Charles A. Cross</i>		Date	9/20/07	

REV.1/1/2004